

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 8, 11, 16 and 17 are pending, with claims 1 - 7, 9, 10 and 12-15 having been previously canceled without prejudice or disclaimer of the subject matter therein.

Claim 8 is amended. No new matter is introduced. Support for the amendment may be found, for example, with reference to page 14, line 22 through page 15, line 9 of Applicant's specification.

II. Claim Rejections under 35 U.S.C. § 102

Claims 8, 11, 16 and 17 are rejected under 35 U.S.C. §102(e) as being anticipated by Ehrnsperger et al. (U.S. Patent No. 6,160,200, herein "Ehrnsperger"). Applicant respectfully traverses this rejection.

Amended independent claim 8 is directed to an absorbent article comprising a main body having a liquid-pervious top sheet, a back sheet and an absorbent core sandwiched between the top sheet and the back sheet. A skin-protective ingredient containing layer is applied to a surface of the top sheet in order to be transferred to form an oily film on the skin of a wearer to protect against irritation of the skin. A support layer substantially entirely and directly coats the skin-protective ingredient containing layer, and is formed of a polyethylene oxide having a molecular weight of

from 700 to 1000 and a melting point of from 35 °C to 40 °C. This claimed composition for the support layer provides the advantage of enabling the support layer to fluidize by simply coming into contact with the wearer's skin, thereby releasing the skin-protective ingredient containing layer to form the oily film on the skin of the wearer to protect again irritation in skin-contacting regions of the absorbent article.

Ehrnsperger discloses a disposable absorbent article comprising a main body having a liquid-pervious top sheet 24, a back sheet 26 and an absorbent core 28 sandwiched between the top sheet and the back sheet (see, e.g., FIGs. 1 and 2 of Ehrnsperger). Portions of the absorbent article may be coated with a lotion for protecting against skin irritation (see, e.g., Col. 6: 64 - Col. 7: 11 and Col. 14: 44 - 50 of Ehrnsperger). The disposable absorbent article may also include a waste passage member 60 including soluble material 66 which is intended to dissolve to enable the one-way passage of waste materials through waste passage member 60 and into the absorbent core. The Examiner suggests that Ehrnsperger's soluble material 66 corresponds to Applicant's claimed support layer. However, in sharp contrast to Applicant's claimed absorbent article, Ehrnsperger does not teach or suggest that the soluble material 66 comprises polyethylene oxide.

The Examiner notes that Ehrnsperger's soluble material 66 may be coated with a body adhering composition 80 formed of a polyethylene oxide (see, e.g., Col. 15: 58 - 67 of Ehrnsperger). However, and in sharp contrast to Applicant's claimed absorbent article, Ehrnsperger fails to disclose or otherwise suggest that the polyethylene oxide body adhering composition 80 comprises a polyethylene oxide having a molecular weight of from 700 to 1,000 and having a melting point from 35°C to 40°C (see, e.g., page 14, line 22 through page 15, line 9 of Applicant's specification). While

the Examiner suggests in the present Office Action that this feature is not a certain component of independent claim 8 as previously recited, Applicant submits that independent claim 8 has presently been amended to clearly recite a support layer comprising polyethylene oxide having a molecular weight of from 700 to 1,000 and having a melting point from 35°C to 40°C.

Applicant suggests that it is highly unlikely that Ehrnsperger's polyethylene oxide body adhering composition 80 has these claimed characteristics of Applicant's support layer. As the adhering composition 80 is intended to "act to hold the waste 15 passage member 60 close to the wearer's skin" (see, e.g., Col. 14: 24 - 27 of Ehrnsperger), a polyethylene oxide having a melting point at skin temperature (i.e., from 35°C to 40°C) would be highly unsuitable for the intended purpose of Ehrnsperger's adhering composition 80.

Therefore, Applicant submits that the present invention as claimed in amended independent claim 8 is not anticipated by Ehrnsperger, and is therefore allowable. As claims 11, 16 and 17 depend from allowable independent claim 8, Applicant also submits that dependent claims 11, 16 and 17 are also allowable for at least this reason.

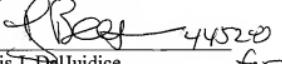
Accordingly, Applicant respectfully requests that the rejections of claims 8, 11, 16 and 17 under 35 U.S.C. § 102(e) be withdrawn.

CONCLUSION

In view of the above amendments and remarks, Applicant believes the pending application is in condition for allowance. If there are any remaining issues which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: April 8, 2008

Respectfully submitted,

By 
Louis J. DelJuidice *44522 for*
Registration No.: 47,522
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant